

8-24-01

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: VEN 001-00-01



CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request under 37 CFR 1.53 for filing a

- ☒ continuation application.
- ☐ divisional application.

1. Particulars of Prior Application

Application Serial No: 09/378,420

Filed on: August 20, 1999

Title: METHODS FOR IDENTIFYING,
CHARACTERIZING, AND EVOLVING CELL-
TYPE SPECIFIC CIS REGULATORY
ELEMENTS

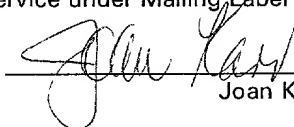
Art Unit: 1642

Examiner: Rawlings, S.

Prior Docket No.:

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Continuing Application Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on August 23, 2001, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EL485594025US.


Joan Karr

09935929-002301

2. This request is filed by:

1. Full Name of Inventor	Family Name Kamb	First Given Name Carl	Second Given Name Alexander
Residence & Citizenship	City Salt Lake City	State or Foreign Country Utah	Country of Citizenship U. S. A.
Post Office Address	Post Office Address 696 Donner Hill Circle	City Salt Lake City	State & Zip Code/Country Utah 84108
2. Full Name of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country

- ☐ This application is being filed by less than all the inventors named in the prior application. An accompanying statement requests deletion of the name(s) of the person(s) who are not inventors of the invention being claimed in this application.

3. **Amendments**

- X Amend the specification by inserting before the first line the sentence:
--This is a Continued Prosecution Application (CPA) of U.S. application Serial No.
09/378,420, filed August 20, 1999.
Cancel claims in the prior application before calculating the filing fee.
A Preliminary Amendment is enclosed.
- ☐ The filing fee is based upon entry of the foregoing amendment(s) (if any).
- X Pending Claims as amended on January 29, 2001.

4. **Copy of Prior Application**

- X The enclosed is a copy of the prior complete application, including the specification (with original claims), drawings, the oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application.

5. **Incorporation By Reference**

- X The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4, above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. **Priority**

- ☐ Priority of application No. _____, filed on _____ in _____ is claimed under 35 USC 119.
- ☐ The certified copy(ies) was(were) filed in prior U.S. application Serial No. _____.
- ☐ The certified copy(ies) has(have) not been filed.

7. **Assignment**

The prior application is assigned of record to , and has been recorded at Reel No. 011830, Frame No. 0871.

8. **Small Entity Status**

- X Applicant claims small entity status. See 37 CFR 1.27.
- X A small entity statement is(are) attached.

9. Application to Be Published

- ☒ Yes.
- ☐ No. A Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i) is attached.

10. Fee Calculation

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355.00		\$710.00
TOTAL	13 -20	0 =	X 9 =	\$ 0	X 18 =	\$
INDEP.	1 - 3	0 =	X 40 =	\$ 0	X 80 =	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 135 =	\$	+ 270 =	\$
Filing Fee:				\$355.00	OR	\$

11. Method of Payment of Fees

- Attached is a check in the amount of: \$ _____
- X Charge Deposit Account No. 501015 in the amount of: \$355.00
- X A copy of this Transmittal is enclosed.

12. Deposit Account and Refund Authorization

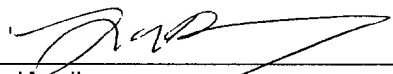
- X The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 501015. A copy of this Transmittal is enclosed.
- X Please refund any overpayment to Account No. 501015.

13. Correspondence Address

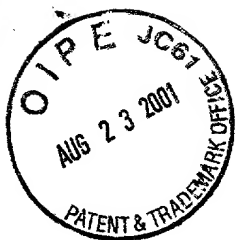
Respectfully submitted,

McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center
San Francisco, California 94111

By: _____


Laura A. Handley
Registration No. 39,704

August 23, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventors: Carl Alexander Kamb

Serial No: 09/378,420

Filed: August 20, 1999

For: METHODS FOR IDENTIFYING,
CHARACTERIZING, AND
EVOLVING CELL-TYPE SPECIFIC
CIS REGULATORY ELEMENTS

Group Art Unit: 1642
Examiner: Rawlings, S.

Certificate of Mailing/Transmission(37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

[X] deposited with the United States Postal Service as Express Class Mail #EL485594025US on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

FACSIMILE

[] transmitted by facsimile to the Patent and Trademark Office

Date: August 23, 2001

Type or Print Name of Person Mailing: Joan Karr


Signature of Person Mailing

JC996 U.S. PTO
09/935929



RESPONSE TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In response to the Office Action mailed on February 27, 2001, enclosed herewith for filing are the following:

- _____ Response to Restriction Requirement Under 37 U.S.C. § 121.
- _____ Preliminary Amendment Under 37 C.F.R. § 1.115.
- _____ Amendment and Response Under 37 C.F.R. § 1.111.
- _____ Revocation of Power of Attorney and Appointment of New Attorney
- _____ Amendment after Final Action Under 37 C.F.R. § 1.116
- X Request for Extension of Time to File Response Under 37 C.F.R. § 1.136(a).

X The Commissioner is hereby authorized to charge Deposit Account No. 501015 in the amount of \$455.00, calculated as follows:

- _____ \$55.00/\$110.00 for response within first month.
- _____ \$195.00/\$390.00 for response within second month.
- X \$455.00/\$890.00 for response within third month.
- _____ \$695.00/\$1,390.00 for response within fourth month.
- _____ Fee for additional claims (see below for calculation).

09/935929

X

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. Sections 1.16-1.17 or to credit any overpayment, to Deposit Account No. 501015. This sheet is filed in duplicate.

Fee-Calculation

Claims:

					Small Entity	
					Rate	Fee
Basic Fee	Current Claims		Highest Previous			\$355.00
Total Claims		-		=	x 9	\$
Indep. Claims		-		=	x 39	\$
Multiple Dependent Claim(s)					+ 130	\$
					TOTAL	\$

OTHER	
Rate	Fee
	\$710
x 18	\$
x 78	
+ 260	\$
TOTAL	\$

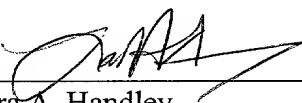
Please address all **TELEPHONIC** communication to **Laura A. Handley**, the undersigned attorney of **Arcaris, Inc.**, at **(801) 303-0304**.

Please address all **WRITTEN** correspondence regarding this communication to the following address:

Michael Shuster
McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center
San Francisco, California 94111
(415) 393-2000

Date: August 23, 2001

Respectfully submitted,

By: 
Laura A. Handley
Registration No. 39,704

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